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a housing integrated and hingedly attached to said one end of said body, said housing being pivotable to a position in substantial alignment along the longitudinal axis of said body so as to envelop said needle.

Subj 44. (Amended) Safety intravenous infusion assembly to prevent a contaminated needle of an infusion device from being exposed to the environment, comprising:

B2 a body of said infusion device having an end whereto said needle is attached and an other end whereto a flexible tube through which fluid passes is connected;
a housing integrated and flexibly attached to said body, said housing being pivotable to a position in substantial alignment along the longitudinal axis of said body for enveloping said needle.

Please add new claims 48-52 as follows:

Subj 48. (Newly added) An intravenous device, comprising:

B3 a winged body having one end from which a needle extends and an other end to which a flexible tubing is connected for establishing a fluid communication path whereby intravenous infusion to or withdrawal of fluid from a patient may be effected; and

a housing integrally attached to said one end of said body, said housing being pivotable to a position in substantial alignment along the longitudinal axis of said body to envelop said needle.

49. (Newly added) Intravenous device of claim 48, further comprising:

locking means integrated to said housing for fixedly retaining said needle within said housing once said needle is enveloped by said housing.

50. (Newly added) Intravenous device of claim 49, wherein said locking means comprises a hook that snaps over and retains said needle within said housing when said housing is pivoted substantially to said alignment position.

51. (Newly added) Intravenous device of claim 49, wherein said locking means comprises at least one pair of fingers coacting to prevent said needle from being removed from said housing once said housing is pivoted to envelop said needle.

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52. (Newly added) Intravenous device of claim 49, wherein said one end of said body includes at least one locking means and said housing includes at least an other locking means, and

wherein said one and other locking means coact with each other for fixedly retaining said housing relative to said body when said housing is pivoted to envelop said needle.

Remarks

The following is a response to the Office Action dated September 19, 2002.

In response the 35 U.S.C. 112, second paragraph rejection, claim 44 has been amended to change the limitation "said infusion device" to "an infusion device". With this amendment, it is believed that claim 44, and therefore claims 45-47 dependent therefrom, are now devoid of the indefiniteness problem.

Claims 39-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sweeney et al. U.S. patent 5,746,726 in view of Newby et al. U.S. patent 6,436,086.